

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

United States of America,

Case No. 1:23-cr-00314-03

Plaintiff,

Judge James G. Carr

v.

Magistrate Judge Darrell A. Clay

Dave Davis,

ORDER

Defendant.

This is a criminal case that was referred to United States Magistrate Judge Darrell A. Clay for the taking of, on consent of the parties, a plea of guilty. The Magistrate Judge has filed a Report and Recommendation. (Doc. 354). No objection has been filed.

I have read the transcript of the change of plea hearing, (Doc. 361), the proposed Plea Agreement (Doc. 353), and the Magistrate Judge's Report and Recommendation (Doc. 354). I find that, in his careful and thorough proceeding, the Magistrate Judge satisfied all requirements of Fed. R. Crim. Pro. 11 and the United States Constitution.

He correctly found the Defendant to be competent and aware of the charge, of the consequences of conviction, and of his rights and the waiver thereof. He also correctly found that the Defendant had consented to proceed before the Magistrate Judge and tendered his plea of guilty knowingly, intelligently, and voluntarily. Finally, the Magistrate Judge also correctly found that there was an adequate factual basis for the plea.

On *de novo* review of the record and the Report and Recommendation, I accept and adopt the Magistrate Judge's findings. I conclude that the Defendant's plea of guilty conforms to all applicable provisions of Rule 11 and the Constitution.

In light of those findings and that conclusion, it is hereby ORDERED THAT the Defendant's plea of guilty is accepted and a finding of guilty shall be entered.

SO ORDERED.

Date: May 27, 2025

/s/ James G. Carr
Sr. U.S. District Judge